

NR 445 Technical Advisory Group Meeting 6
August 3, 2000 Notes
Conference Rooms A and B, Coughlin Center
625 East County Hwy Y, Oshkosh

TAG Attendance: Jim Beasom, Appleton Papers, Inc.; Jose Bucio, WI AFL-CIO; Dan Daggett, WI Bureau of Public Health; Jennifer Feyerherm, Sierra Club; Dave Gardner, Briggs & Stratton Corp.; Hank Handzel, WPC & PIW; John Hausbeck, Madison Public Health; Howard Hofmeister, Bemis Company; Jeffrey Mears, Oneida Nation of WI; Brian Mitchell, WI Cast Metals Assoc.; Susan Mudd, Citizens for a Better Environment; Tom Ravn, Serigraph, Inc.; Annabeth Reitter, Consolidated Papers, Inc.; Rudy Salcedo, City of Milwaukee Health; Rob Sherman, Kraft Foods; Patrick Stevens, WI Manufacturers & Commerce; Thomas Stocksdaale, SC Johnson; Caryl Terrell, Sierra Club; Ed Wilusz, WI Paper Council; Caroline Garber, WDNR; Jeff Myers, WDNR; John Roth, WDNR; Bart Sponseller, WDNR; Andrew Stewart, WDNR; Joe Tarter, WDNR

Committee Attendance: Renee Bashel, WI Dept. of Commerce; Frank Bell, Omnova Solutions; Peter DeRossi, McLaren Hart, Inc.; Brian Galley, Pechiney Plastic Packaging, Inc.; Myron Hafele, Kohler Co.; Robert Heitzer; Martin Lehman, Badger Mining

Morning Session:

I. Welcome/Introductions/Agenda Review/Follow Up

Caroline Garber, Environmental Studies Section Chief

- Welcome
 - Caroline Garber welcomed TAG and committee members.
- Review of Meeting Notes
 - TAG members offered corrections and comments. They have been addressed in the revised minutes.
- Review of Meeting Agenda
 - C. Garber reviewed the agenda and asked for comments. No comments were offered.

II. Modeling and Screening Proposals

John Roth, DNR Atmospheric Dispersion Modeler

Purpose: To present the proposed NR 445 screening level procedures for demonstrating compliance with Tables 1, 2, and 5 ambient air quality standards. This includes the “off-ramp” proposal. A demonstration of the SCREEN3 model will be presented.

- John Roth made a presentation entitled “Hazardous Air Pollutants Modeling “Off-Ramp”. A 3-page handout accompanied the presentation.
- J. Roth began by explaining the proposal from two meetings back to create an “Off-Ramp”, the purpose being so the permit process would not be flooded with unnecessary work and also prevent facilities from having to go through the permit process if their potential emissions do not exceed the standards.
- J. Roth presentation (see PowerPoint file) is a review of the “Off-Ramp” proposal and a demonstration of the SCREEN3 model.
- Proposal allows a facility to demonstrate compliance without getting into the permitting process.
- Threshold emission rates will be listed in the rule. If a facility is capable of emitting above this threshold value, they may then use SCREEN3 to demonstrate they are in compliance with the acceptable ambient concentration (standard).
- The SCREEN3 model uses all the regular parameters. Once the modeling is complete, if the modeled value is below the standard then the facility is in compliance. (See example in the presentation.)
- *Qu.* – Explain dispersion.

- *Ans.* – J. Roth stated dispersion is the result of the ambient meteorological conditions and the building and stack parameters. The concentration of a pollutant in a volume of air is what we breathe in.
- *Qu.* – B. Galley asked if the concentration J. Roth is speaking of is the concentration at the property line.
- *Ans.* – J. Roth stated that yes, the concentration is at the property line.
- SCREEN3 model is an old DOS model. The model is executed by typing in “screen3” at the command prompt of the directory the model is stored in.
- The model itself is available from two sources. Contact John Roth for details.
- In the demonstration the canned version from the EPA will be used and is completed by responding to screen prompts.
- The model gives four source type options (1) point (2) flare (3) area (4) volume. Only point sources would be allowed under the “off-ramp” SCREEN3 modeling.
- Model parameters must be converted to metric and entered into the model. Several other model inputs will use default values.
- For the purposes of this proposal, complex terrain is not an option that can be used.
- The model output is stored in a simple text based file.
- For reference purposes, the SCREEN3 model uses a linear distance to the property line.
- To demonstrate compliance a facility would take the point of maximum concentration and re-run SCREEN3 model for all point sources involved to this point. The concentrations for the individual sources should then be summed to obtain the total concentration. A facility would be in compliance and would need no regulatory action if the total concentration multiplied by a scale factor were below the standard. An analysis with ISCST3 for the same example shows SCREEN3 to be the more conservative of the two models.
- *Qu.* – R. Salcedo asked, in reference to the July 20 memo, if it would be more precise to state “each source or facility taken singly” rather than saying “all sources”. R. Salcedo noted the change would be a clarification and would help to understand the philosophy and purpose.
- *Ans.* – J. Roth stated that would be more precise. If the memo is revised it should be distributed and posted on the web.
- *Qu.* – E. Wilusz asked if every emission point must be modeled separately.
- *Ans.* – J. Roth stated that yes, each point must be modeled separately.
- *Qu.* – E. Wilusz asked when modeling multiple points, does SCREEN3 do the adding.
- *Ans.* – J. Roth stated that no, the adding must be done by hand.
- *Qu.* – E. Wilusz asked, in reference to the memo, why 90% of the concentration was used.
- *Ans.* – T. Stocksdales stated 90% was used to account for some variability and add some conservatism.
- *Qu.* – E. Wilusz asked if 90% was needed since the model is already conservative.
- *Ans.* – J. Roth stated that he thinks it is a good thing.
- *Comment* – A. Stewart stated that a next step for sources modeling above 90% of the concentration could be a refined model.
- *Comment* – E. Wilusz added that the results of the model would be included in submittals and certification.
- *Comment* – A. Stewart stated that we would talk more about this later.
- *Qu.* – A question was asked why we preclude consideration of terrain.
- *Ans.* – J. Roth stated that it is a judgment call as to what constitutes elevated terrain.
- *Qu.* – R. Salcedo asked how robust the model is.
- *Ans.* – J. Roth stated that the model was developed in the late 80’s with a third edition released in ‘95.
- *Qu.* – R. Salcedo asked, in terms of sensitivity, what parameter is most sensitive.
- *Ans.* – J. Roth stated that concentration is directly dependent on the emission rate, following this, the concentration is most sensitive to stack height, and then to flow rate.
- *Comment* – J. Roth stated that guidance with tips would be prepared.
- *Qu.* – A. Reitter asked why the screening option was not available for area sources.
- *Ans.* – J. Roth stated that if you have area sources you would use ISCST3 and not SCREEN3.

- *Qu.* – A. Reitter asked if the department would provide assistance and information for using ISCST3.
- *Ans.* – J. Roth stated the central office staff could be called with area source questions.
- *Qu.* – B. Galley asked if the DNR would be doing the modeling or will industry have to hire a dispersion modeler.
- *Ans.* – J. Roth stated that it would be a case by case situation. What the DNR does currently will be continued in the future.
- *Comment* – H. Hofmeister stated that the 90% issue is totally inappropriate since the SCREEN3 model is more conservative than ISCST3. The entire rule package is fraught with arbitrary numbers and 90% just adds another degree of complexity.
- *Comment* – S. Mudd asked how many off ramps industry should have.
- *Comment* – T. Stocksdale stated that the off ramp will be cheaper for the department and industry rather than having to hire a consultant to use a more sophisticated model. That would end up being a time drain on both parts.
- *Comment* – C. Garber stated that this provides a way for sources to determine whether or not they exceed the ambient air concentration or not. It doesn't change the end point at all. It simply weeds out some people earlier in the process.
- *Qu.* – J. Bucio asked what happens on the other side of the coin, where are the checks and balances of a facility that emit more later on.
- *Ans.* – A. Stewart stated that if modifications are made, a review is required.
- *Qu.* – J. Hausbeck asked if it is possible to get an estimate of ambient air concentration that SCREEN3 would model too low.
- *Ans.* – J. Roth stated that SCREEN3 would always give you a higher concentration for single and multiple stacks.
- *Comment* – J. Hausbeck stated that it is more appropriate to spend time talking about other issues if there is confidence the model is conservative.
- *Qu.* – R. Salcedo asked if the model assumption was that no other source impacts that point.
- *Ans.* – J. Roth stated that yes, that was the case.
- *Comment* – R. Salcedo stated that when speaking of ambient air quality, it might not be precise to use the term ambient air concentration since it is the concentration available to the entire public. He has no suggestion at this time.
- *Comment* – A. Stewart stated a reminder to people that for non-table 3s, facilities are modeled at maximum emissions and not actual emissions.
- *Qu.* – E. Wilusz asked if envisioning a mill with 25 or 30 emission points, what level of effort is expected of industry to determine the distance to the fence line.
- *Ans.* – J. Roth stated that it was personal opinion. A tape measure could be used from the stack to the fence or the information is often already available. In reality, it is likely not that big of a problem.
- *Comment* – T. Stocksdale stated that the biggest problem for this case would be measuring the stack to a new point.
- *Comment* – J. Roth stated that with straight geometry it was pretty simple to calculate the distance.
- *Qu.* – E. Wilusz asked that by making it easier it seemed like a lot of SCREEN3 was built on the assumption of downwash. Would it be possible to do building downwash differently.
- *Ans.* – J. Roth stated that would only add more columns to the spreadsheet.
- *Qu.* – P. Stevens asked why the 90% safety factor is needed if 100% is used instead and the value is always below the value provided by the more complicated model.
- *Qu.* – J. Beasom asked if the more complicated model was also conservative.
- *Ans.* – J. Roth stated that this is not necessarily true. SCREEN3 uses worst case condition and the other uses site specific conditions.
- *Comment* – J. Beasom stated that SCREEN3 is more conservative than ISCST3 anyway.
- *Comment* – J. Feyerherm stated that this is an off ramp for industry. Multiplying by 0.9 provides a little extra safety for the public.

- *Qu.* – A permit applicant or the DNR permit staff may currently use SCREEN3 for criteria pollutant impacts rather than full-blown ISCST3. What basis is there to think SCREEN3 is not conservative for HAP's when we consider it conservative for criteria pollutants? (In other words, why the 90% safety factor?)
- *Ans.* – R. Salcedo stated that we are trying to avoid a situation to model away a potential health problem. The model doesn't consider a lot of sources together. Maybe if we keep asking for it, the department will get it for the future.
- *Comment* – C. Garber stated that we recognize the issue exists and we will consider it.
- *Qu.* – J. Hausbeck asked if the SCREEN3 results might not always be more conservative than the refined model.
- *Ans.* – A. Stewart stated it was likely provided no errors were made inputting the data.
- *Qu.* – A. Reitter asked what the point of the 90% reduction before submitting for review if the department will review and make their determination anyway.
- *Ans.* – C. Garber stated that the department will review but will not always replicate.
- *Comment* – C. Garber stated that this issue will be reviewed and a decision would be made.

III. Overview of Permitting and Compliance Issues

Andy Stewart, DNR Air Management Engineer

Purpose: To present an initial list of permitting and compliance issues.

- A. Stewart made a presentation based on a table titled "Other Issues? Reaction to Proposal? Other Solutions?" (See table titled Compliance issues final.)
- A. Stewart noted this was just to identify the issues so they can be revisited at a later meeting.
- The categories are (1) Permitting, (2) Application, and (3) Compliance
- Foremost on everyone's mind is the additional work the rule revision will cause. The rule revision will create extra work.
- For issue 2, discussions about setting the inclusion level in NR 407 have yet to be held. Emissions units whose MTE are greater than the levels in Table 2 of that chapter must be included in permit applications.
- For issue 3, "once in always in" of control technology. There is a possibility to get sources below levels using caps and avoid BACT/LAER. There is room to encourage process or material changes, etc.
- For issue 4, we will talk about schedule later today.
- For issue 5, some things exist to streamline the process.
- For issue 6, we are concerned about BACT/LAER that already has been done because some technology has changed. As the rule exists, there is no mechanism to revisit the decision.
- For issue 7, there is no risk assessment language in the rule. Currently policy of doing evaluation along with proposed at this time BACT/LAER decision exists. We are considering putting language in the rule to reflect policy.
- For issue 8, staff are reviewing the exemption for fossil fuel combustion and in door air fugitives. The presumption is that they would be retained unless the analysis shows that it would be inappropriate to retain them.
- For issue 9, accurate information in reference to training and tools for measurements.
- For issue 10, level of detection issue will be discussed later today.
- For issue 11, there will be more discussion to develop a work group.
- This is a quick list of issues but we would like input from the TAG to identify more problems and issues to consider.
- *Comment* – C. Garber stated that we are anxious to make the rule as workable as possible, so now is the time to raise issues to address.
- *Comment* – B. Heitzer stated that "once in always in" is a bad policy. It doesn't provide an incentive for facilities to reduce or substitute materials.
- *Comment* – T. Ravn stated that there needs to be an incentive for material changes.
- *Comment* – R. Salcedo is in agreement with this also.

- *Comment* – E. Wilusz stated that we might want to consider a work group to look at coal and wood dust issues. It is a similar set of questions to silica.
- *Qu.* – Are you aware of any MACT that EPA is revisiting?
- *Ans.* – A. Stewart stated there is one now that EPA is revisiting.
- *Comment* – Things that can be considered in BACT/LAER are limited. The impact may be higher than the level we'd like to see even with BACT/LAER at times. In many cases industry will go beyond what they need to do voluntarily.
- *Qu.* – B. Galley asked if we could tell which fossil fuels we are looking at (exemption).
- *Ans.* – A. Stewart stated that we are mostly considering emissions from coal.
- *Comment* – P. DeRossi stated a concern that as things get more sophisticated, the proposals on the table make the liability for businesses even greater. Many companies don't have the sophisticated ability to assess this and that creates a greater legal liability for Wisconsin businesses. We need to think about how to mitigate the increasing liability on small businesses. These are all invisible traps. The sophistication of this rule makes it invisible and a more hostile business environment. Not opposed to clean air but do think we can have clean air without added risk of being out of compliance.
- *Comment* – C. Garber stated that Renee Bashel (Department of Commerce, Small Business Advising Council) has been following these issues and that the DNR and the SMBAC would also work together to get the word out to small businesses and provide assistance as they do for other air regulations.
- *Qu.* – E. Wilusz asked if this could be brought back as an agenda item.
- *Ans.* – C. Garber stated that it could.
- A. Stewart went through a draft proposal on how to deal with measurements at very low levels. (one page handout – nondetectproposalfinal.doc)
- *Comment* – A. Stewart stated that for measurement at very low levels there may not even be a test method at this time so we need to provide a better idea of what sources are expected to do.
- *Qu.* – P. Stevens asked about how many chemicals would fall under this draft measurement proposal.
- *Ans.* – A. Stewart stated that he didn't know exactly. Only six of the current table 3As were being reported in 1998.
- *Qu.* – T. Stocksdales asked about legality and indemnification. What happens if a citizen sues if compliance can not be absolutely proven? This sounds good, but how do we insure this. I would like to see something that says we are in compliance.
- *Ans.* – C. Garber stated that the concept is similar to what is done in the water program. The idea is to say that the DNR will not enforce if we can't measure to that level.
- *Qu.* – E. Wilusz asked if this implied that the DNR would require measurements for everything.
- *Ans.* – A. Stewart stated that no, all the compliance methods allowed now, e.g., mass balance, could still be used, etc.
- *Qu.* – B. Galley asked about available funding from the DNR to do testing. Would like some entity to avoid detailed measurements.
- *Ans.* – C. Garber stated that it was highly unlikely that the DNR would get additional funding to measure this. The political climate will not provide for additional funding. There are a lot of factors to consider.
- *Qu.* – C. Terrell asked if this was mainly driven by the permitting or the inventory.
- *Ans.* – A. Stewart stated that in his opinion it is mainly driven by permitting.
- *Comment* – J. Myers stated that there might be no acceptable way to measure so we may need to accept a good faith effort.
- *Comment* – C. Terrell stated that, in reference to "deem in compliance", compliance seems to be assumed.
- *Comment* – A. Stewart stated that this does not preclude using other quantification techniques.
- *Comment* – S. Mudd stated that before deeming in compliance we should make sure that a company has gone through the steps of compliance measurements.

- *Comment* – P. DeRossi stated that there must be a presumption that something is being emitted. The mere fact that a chemical is brought into a factory should not make the assumption that it will be emitted into the air.
- *Comment* – A. Stewart stated that we would address this.
- *Comment* – B. Heitzer stated the level of effort for a ground water remediation project might be affected if the threshold for benzene was lowered dramatically because old gas spills have 10% benzene.
- *Comment* – A. Stewart stated that this is not for benzene.
- *Comment* – A. Stewart stated that he proposes to follow the same way we do it now. There is a reliance that sources are making valid statements about their emissions.
- *Comment* – C. Garber stated that we are not proposing sources make negative declaration for all 600+ chemicals on NR 445. Any other comments? Her sense is that there are some questions about what actually “deem in compliance” means. Also make sure other activities are done and the language is cleaned up a bit. The general approach seems to be acceptable.
- *Comment* – T. Stockdale stated that it is still too vague. Give a concrete example in parts per billion. It may be very difficult to measure and that is a real problem.
- *Comment* – A. Stewart stated that he would like to hear about areas that need clear guidance from TAG members.

IV. Effective dates of NR 445 and NR 438 Revisions

Andy Stewart, DNR Air Management Engineer

Purpose: To present and get feedback on a proposed schedule for emission inventory reporting, for demonstrating compliance with revised emission standards, and for incorporating requirements in permits.

- A. Stewart made a presentation concerning the effective dates of the rule revisions. (See handout – implementationplanfinal.doc)
- Important milestones are (1) when the rule becomes effective, (2) when compliance is demonstrated, and (3) when applications from FOPs and FESOPs are due.
- March 2003 may be a fair expectation to have 2002 emissions reported if rule revisions become effective no later than September 2001. The lead-time gives four months to do the record keeping for the upcoming calendar year. The emission inventory requirements would kick in before compliance demonstration was required.
- For compliance demonstration there are a number of different situations a source may be in. For instance, a source may need to redo the modeling or just check a permit, or they may need to do a BACT/LAER determination.
- All sources subject to applicability requirements will need to demonstrate compliance. This demonstration could be as little as redoing modeling to check compliance and then notifying the department in a possible self-certification process. Ways are being considered to simplify the compliance demonstration process. (See handout for acceptable methods.)
- Compliance notification could be included with the annual emission reporting. We want to avoid requiring many different reporting processes. Instead, the processes could be integrated.
- *Qu.* – T. Stockdale asked if we are requiring a statement of certification or negative declaration from everyone.
- *Ans.* – A. Stewart stated that we wouldn’t ask everyone to do this. This is for all applicable sources.
- *Qu.* – T. Stockdale asked if we would ask for statements from those under the thresholds.
- *Ans.* – A. Stewart stated that we wouldn’t expect those with allowable emissions below the threshold to do this. We will do a better job to clarify applicable source.
- *Qu.* – B. Heitzer asked if every gas station reported on the air inventory and would they do so if this rule passes.
- *Ans.* – A. Stewart stated that no, they do not all currently report. He would have to check with inventory people, but they may need to report to the emissions inventory under the new rule.

- Compliance demonstration warrants a closer look in the cases of (1) Non-carcinogens and (2) New BACT/LAER reviews. See handout for more detail.
- *Qu.* – Would emergency generators fall into this category?
- *Ans.* – A. Stewart stated that he would need to check.
- *Comment* – P. Stevens asked for some examples of compliance certification.
- *Comment* – A. Stewart stated that if you raise a stack, change a process, etc. We would flesh the language out in the rules.
- *Comment* – C. Terrell stated that she did not understand the time frame. What needs to be done in three years, compliance plan or demonstrating compliance?
- *Comment* – A. Stewart stated that it could be that different options could be considered. One might be that source complete all actions necessary to comply with the revision by the end of three years. Another might be that a source develop and submit a plan within three years, but then may have additional time to carry out the plan. We need to work this out and discuss it more.
- *Comment* – B. Heitzer asked if one time maintenance or one time coating was going to be addressed.
- *Comment* – A. Stewart stated that in the past, maintenance has been excluded, but we will better identify the emissions we are concerned about depending on the activity. This is just an initial proposal. This is a starting point and will be fleshed out more as we continue to develop it.
- *Qu.* – E. Wilusz asked about construction permit or modification.
- *Ans.* – A. Stewart stated that it would be considered on a case by case basis. It will be at the reviewer's discretion and will be a site-specific determination.
- *Comment* – C. Garber stated that this is where the thinking is now. We will talk to you and to our permit and compliance engineers, and we will make the language clearer and flesh this out.

V. **Relationship between Federal and State Hazardous Air Pollutant Regulations as they apply to New Sources and Major Modifications**

Steve Dunn, DNR New Source Review Permit Engineer

Purpose: To present information and answer questions on the relationship between the federal and state HAP programs as they apply to new and modified sources.

- C. Garber introduced S. Dunn and his presentation. She stated that the presentation would be for informational purposes.
 - S. Dunn made a presentation entitled "New Source Permitting and HAP's". A 5-page handout accompanied the presentation. (See PowerPoint presentation.)
 - From slide 10, if a facility does not meet the limit, they must raise the stack height, limit materials or production, or otherwise to get a permit.
 - *Qu.* – T. Stocksdales asked if this was for the whole source.
 - *Ans.* – S. Dunn stated that it was for newly modified sources that change by 10%.
- (Clarification Note: the Q&A exchange between T. Stocksdales and S. Dunn was in reference to Table 3 chemicals.-A. Stewart 09/21/00)*
- *Qu.* – T. Stocksdales asked if the sum total for facility emissions is below the de minimus, then that source would be out of the review.
 - *Ans.* – S. Dunn stated that it must be 10% of the table value for that process.
 - *Comment* – T. Stocksdales stated that it must not be limited at all if it is under.
 - *Qu.* – E. Wilusz asked, in reference to slide 14, how that worked, is it the entire MACT standard.
 - *Ans.* – S. Dunn stated that it is what applies to you exactly.
 - *Qu.* – P. DeRossi asked, in reference to slide 12 and bullet 4, if it shouldn't say the facility "may be" required and not "not" required.
 - *Comment* – B. Galley stated that, in reference to Slide 18, that they have a source with a chrome electroplater.

- *Qu.* – H. Hofmeister asked if it was correct that, in reference to slide 7, under this scenario and your MTE for the new source, it does not look at emissions at all from existing sources.
- *Ans.* – S. Dunn stated that this was correct.
- *Comment* – H. Hofmeister stated that it seems to be written differently for PTE's.
- *Comment* – S. Dunn stated that the code says we can review the whole facility if the department likes.
- *Comment* – H. Hofmeister stated that they need clarification from J. Roth about the memo.
- *Comment* – S. Dunn stated that the whole facility would have to be done if it were modeled.
- *Comment* – H. Hofmeister stated that he thinks that we are playing fast and loose with the code language.
- *Comment* – S. Dunn stated that the standards that have to be met are exactly the same.
- *Qu.* – B. Galley asked if the DNR guidance for this is on the web.
- *Ans.* – S. Dunn stated that he thinks we can post it on the web, but it is not there at this time.

VI. Report from the Public Health Sub-Group

Caryl Terrell, Sub-group Chair, Sierra Club

Purpose: Presentation of issues from the Public Health Sub-Group.

- C. Garber began by stating that at the first TAG meeting Lloyd made it clear that certain issues would not be addressed in this revision. Many of these issues are concerns of the Public Health Sub-Group. Some issues and recommendations are relevant to our discussion here and will be considered, but some are outside of the framework. Individuals/organizations can forward issues/concerns outside the framework to the department to be considered in other ways like Green Tier or a multi-media approach to persistent bioaccumulative toxics. Non-TAG issues will not be in a TAG report.
- C. Terrell present a status report from the Public Health Sub-Group.
- They have had numerous teleconference meetings. They started by initially listing the issues and then trying to talk about the relevance of each issue to NR 445. The language was made clearer and a number of recommendations were developed that are relevant to the rule. Past meeting had poor attendance so language and other changes could not be finalized on specific issues.
- Some Topics are:
 - (1) Precautionary principle continuation.
 - (2) Concerns about single pollutants that interact with each other and/or have synergistic effects.
 - (3) Families of chemicals – Until proven otherwise, chemicals in a family should be treated as all having the same toxicity.
 - (4) 10^{-5} versus 10^{-6} . Want to stress 10^{-6} .
 - (5) One of the most important things is that they are trying to find out if there are health studies to pass on to the state departments (DNR and Health department) about chemical constituents with real life mixtures dealing with chemical change during use. What happens to the mixture in the plant or during the process in the plant before it is emitted. Please provide the sub-group with guidance. They are really looking for suggestions from TAG members, especially industry, or others who may know.
- *Comment* – D. Daggett stated that they would be interested in unpublished reports.
- *Qu.* – T. Stocksdales asked if they had considered looking at the TOSCA database.
- *Comment* – D. Daggett stated that interaction of chemicals is a real world issue and information is needed. The typical safety assessment is just one chemical
- *Comment* – C. Terrell stated that the committee needs information from industry or consultants.
- One of the things the Public Health Sub Group is interested in is ensuring that NR 445 doesn't go against common sense pollution prevention or toxic use reduction. This will be written as a public health analysis of the rule, but it will stay within Lloyd's restrictions to summarize things that are knowingly emitted. The report will be out in about a week.
- *Qu.* – P. Stevens asked if the report reflected a consensus of the sub-group.

- *Ans.* – C. Terrell stated that no one on the committee has yet seen the revised report based on the recent comments that she is writing now. The report includes all of the issues from the first meeting at the Union.
- *Qu.* – J. Beasom said there has not been a vote on it yet.
- *Ans.* – C. Terrell stated that everyone has had their chance for input to the report and the issues.
- *Qu.* – B. Galley asked if the difference between the advisory capacity of the sub-group versus the rest of the output from the TAG could be explained.
- *Ans.* – C. Garber stated that there are two types of issues being raised by the Public Health Sub-Group. Some of them are directly pertinent to the TAG and they should seriously be discussed and have their input considered. Recommendations will then be made to the Bureau Director. Some of the issues are not directly related to this revision and it will be up to the individuals as to how to address those, but it will not be a TAG report. She clarified that both the TAG and the sub-group were advising bodies to the DNR.
- *Comment* – B. Heitzer stated that, in reference to chemical interaction studies, the health sub-group might want to look at medication studies that were done during pharmaceutical development.

VII. Follow-up Information from Meeting 5

- Information from TAG Members
 - Other state/federal rules that may have an impact on air toxics.
 - *Qu.* – E. Wilusz asked if we were looking for existing rules or something that may come down the line.
 - *Ans.* – C. Garber stated that we were thinking about things like hazardous spills, where it has caused problems in the past, where air and waste regulations may be inconsistent with each other.
 - *Qu.* – R. Salcedo asked if we are looking to avoid rule conflicts.
 - *Ans.* – C. Garber stated that yes, that is the case.
 - *Comment* – B. Galley stated that a real world example would be the chrome MACT rule. To comply, a HEPA filtration system is put in place and changed twice a year. The tainted filters are sent to a hazardous waste landfill. There is an increase in cost to the business but this is not necessarily bad. This seems to be at odds with waste minimization.
 - *Comment* – J. Beasom stated that even if the waste were put back into the process they would still need to track it as hazardous waste.
 - *Comment* – S. Mudd stated that the dry cleaner MACT standard has locked-in controls and does not allow dry cleaners to switch to water based process. Companies should be allowed to invest in pollution prevention standard.
 - Interest in serving on Sub-Group on Compliance Options.
 - Sub-Group has not met. It will probably meet in September and will share information with the TAG.
 - Final comment on Compliance Option for Table 3 compounds.
 - *Comment* – E. Wilusz stated that there was a question about what was meant by “all” chemicals. An example would be maintenance chemicals.
 - *Comment* – C. Garber stated that we would come back with a better definition.
- Information from DNR staff.
 - Binning alternative for Table 3.
 - We will not pursue the binning alternative for the Table 3 compounds.
 - There is interest in what new thresholds would bring companies into this.
 - *Qu.* – S. Schwabb asked if the TLV issue compound list would be on the agenda; i.e. Those with greater than 99 ppm.
 - *Qu.* – E. Wilusz asked, in reference to the thresholds for those moving from Table 1 to Table 3, if has there been any more done on that issue.
 - *Ans.* – A. Stewart stated that no additional work had been done on this and that he wasn’t clear on exactly what E. Wilusz wanted done. Did he want us to see how

many sources might be affected by using a different threshold than what had been proposed? If so, what thresholds should we use?

- *Comment* – E. Wilusz stated that, just to get a perspective, use 25 pounds or 250 pounds.
- *Comment* – A. Stewart stated that that could be done quickly with a spreadsheet.
- *Comment* – E. Wilusz stated that the spills guidance issue needs to be addressed.
- *Comment* – C. Garber stated that we would be getting to that.
- *Comment* – R. Salcedo stated that, in reference to the site remediation issue, he would like to see the guidance and whether there is change as a result of NR 445.
- *Comment* – C. Garber stated that we would be checking to make sure our proposal does not make additional problems.
- Silica – Andy and Jeff met on July 24 with the Cast Metals Association.
 - We will be listing silica as a Table 3A compound, but we don't expect to set a compliance deadline. We will set up a different process with clear goals and deadlines.
 - There is no unit risk factor for respirable silica. The proposed default threshold for all Table 3 compounds with no established unit risk factor is 10 lb./yr.
 - We were asked to revisit this level of 10 lb./yr. and the reporting level of 5 lb./yr. by the Cast Metals Association.

VIII. Next Meeting/Follow-up Assignments/Other Business

- Next meetings
 - September 14, 2000 – Madison (Room 027, GEF 2)
 - Late October/Early November
 - *Qu.* – C. Terrell asked when we would talk about making updates more routine with smaller committees.
 - *Ans.* – C. Garber stated that this would be addressed in an upcoming meeting.
 - *Comment* – S. Schwabb stated she would look into hosting the late October meeting in Wood County.

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